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Food and Agricultural Import Regulations and Standards

Country Report

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Executive Summary

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Disclaimer: The Agricultural Trade Office of the USDA/Foreign Agricultural Service in Dubai, UAE has prepared this report for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, the information provided may not be completely accurate either because policies have changed since its preparation or clear and consistent information was not available. It is highly recommended that U.S. exporters verify all import requirements with local authorities through their importers, before sales conditions are finalized and goods are shipped. Final import approval of any product is subject to the rules and regulations as interpreted by the country of import at the time of product entry.

Please contact this office, if you have any comments, corrections or suggestions about the material contained in this report. Our e-mail address is: atodubai@usda.gov.

1. Food Law Overview

The United Arab Emirates (UAE) is a member of the Gulf Cooperation Council (GCC) that includes other member countries Bahrain, Kuwait, Oman, Qatar and Saudi Arabia.

In 1993 the GCC ratified Gulf Standard (GS) 150/1993, Part I that established shelf-life standards for 118 products. This was the first major effort within the GCC towards harmonizing food regulations. However, to date, not all member countries enforce this standard equally.

The UAE and other GCC states are currently discussing new draft standards for food shelf lives and labeling of packaged foods that are meant to comply with Codex guidelines. When finalized, the new standards will be reported in a voluntary report.

For the most part, UAE regulations are based on GCC standards, when available. In the absence of a GCC approved standard, the UAE General Secretariat of Municipalities (GSM) is to set food safety regulations based on recommendations made by the National Food Safety Committee (NFSC) on food related matters and by the Veterinary Committee (VC) on meat and poultry related matters.

The National Food Safety Committee (NFSC) consists of:

- Two representatives each from Abu Dhabi, Dubai and Sharjah municipalities;
- One representative each from the remaining five municipalities of the UAE;
- One representative each from the Ministries of Foreign Affairs, Economy & Planning, Environment and Water Resources (Agriculture Section) and Health;
- The Secretary General of the GSM;
- One representative from Emirates Standards and Metrology Organization (ESMO); and
- One representative from Al Ain University.

The Veterinary Committee (VC) consists of:

- One representative from the veterinary section of each eight municipalities of the UAE;
- One representative from the Animal Wealth Department, Ministry of Environment and Water Resources.

Several specialized subcommittees have appeared in recent years after international food scares related to SARS, avian influenza and BSE. These include the Microbiology, Food

Chemists and Biotechnology subcommittees.

In each of the country's eight major municipalities the respective health department holds responsibility for enforcing food safety standards on locally produced and imported foods through its food control section. While information is shared between municipalities, each operates independently of one another. The municipalities of Dubai, Abu Dhabi, and Sharjah are the major entry points for imported food products, in descending order of trade volume and value. In 2005/2006 each of the three municipalities showed a propensity to issue own regulatory requirements absent prior consultation with the GSM or with other Emirates. Each action disrupted trade and led to unnecessary problems over administrative, not health safety concerns. Trade to any of these three municipality regions should be preceded by advance consultation with importer over possible new import requirements.

Food products are regularly inspected at time of import, at production facilities and at point-of-sale. Fines are levied and products destroyed for severe violations. Imported and locally produced food products are subject to the same food safety regulations and labeling requirements. At present there are no environmental laws regulating food product packaging.

The UAE is a growing market for high value food products. Food is imported from more than 90 countries. The country is free trade oriented but does apply several non-tariff trade restrictions. The UAE is very active in the re-export of food products to neighboring countries with more than 60 percent estimated eventually re-exported. The major regulatory barriers facing U.S. suppliers include:

- (1) Shelf life standards that are not science-based,
- (2) Labeling of production and expiry dates on most food products,
- (3) Labeling of dates in a day/month/year or month/year format only, and
- (4) The requirement of at least one-half a product's shelf life must be remaining at time of import.

In January 2003, the UAE implemented the "GCC Unified Customs Law and Single Customs Tariff" (UCL). The UCL established a unified customs tariff of five percent on practically all processed food product. Under the UCL, live animals, fresh fruit and vegetables, some seafood, grains, flour, tea, sugar, spices and seeds for planting are exempt from any duty.

The UCL established a single entry point policy. In other words, a product entering any GCC member market would pay the appropriate duty only at point of entry into the GCC then be permitted duty free transit among GCC member countries. In practice, this policy is employed only (and not consistently) with unopened containers transshipped between GCC markets. Partial shipments tend to be subject to the 5 percent import duty again at point of destination.

Most UAE officials work with companies to ensure that food and agricultural imports are not unduly disrupted or delayed at port of entry. Greater transparency in the regulatory system and broader public dissemination of regulatory changes would facilitate their effort.

The present practice of disseminating rule change notices to only a handful of major trading houses tends only to spur public question of the UAE regulatory establishment, its mandate and the country's commitment to its international obligations. Because of inadequate public notice on regulatory change and autonomy of each municipality to set public health requirements, the U.S. exporter is encouraged to consult closely with its importer on product requirements prior to shipment. If time permits, the exporter is advised to obtain pre-export label and product clearance.

2. Labeling Requirements

The UAE enforces the GCC "Gulf Standard" (GS) 9/1995 which regulates labeling of foods. A major exception to this is that the UAE, so far, accepts English-only labels and does not enforce the Arabic-label requirement on food products. However, given that the UAE is a major transshipment point into the Arabic speaking region, bilingual labels (e.g., Arabic/English) or Arabic stickers containing crucial label information is recommended.

In general, the standard U.S. label satisfies most UAE label requirements. The production date requirement is a key difference. Under current UAE regulations, a food label must contain the following information:

- Product and brand name,
- Ingredients in descending order of proportion,
- Additives using their "E" number (group names are accepted, see appendix B.),
- The origin of all animal fats (should be of Halal origin) 1/,
- Net content in metric units,
- Production and expiry dates (see below for details),
- Country of origin,
- Manufacturer's/exporter's name and address,
- Special storage and preparation instructions, if any.

1/ Note: usage of pork fat, as with all pork related products as ingredients, is restricted. Non-Halal meats are permitted import thru an exemption issued by the Director, Food Control Section of the municipality. Such products are subject to certain restrictions, i.e., can be sold to non-Moslems only via designated areas/establishments.

Labeling regulations apply to products shipped in bulk and institutional-sized containers. For example, bulk cartons of fresh fruits and vegetables must contain most label information, but need not carry production/expiry dates.

Labels for specialty foods, such as diet, health and baby foods, must contain detailed information about the product's vitamin and mineral contents, nutritive value per 100 grams and proper use and storage. The U.S. nutritional panel is acceptable. There is no RDA labeling requirement. In general, U.S. nutritional labeling is acceptable and may eventually be the basis for local nutritional labeling standards.

Labels for pork and pork containing products must comply with general labeling requirements and must clearly state that the product contains pork. Food labels may not contain pictures of, nor may recipes list pork or alcohol. Name of food products should not include reference to traditional pork products i.e. turkey ham or beef bacon, etc. Alcoholic beverages and alcohol containing products can be imported but only through authorized importers and retail shops.

As with food products, labels for pet foods are required to be printed in Arabic but English only labels are accepted. Arabic/English labels are permitted, as are Arabic stickers in lieu of Arabic labels. The pet food label must contain the statement "Not fit for human consumption." Production/expiry dates are required for pet foods.

The UAE enforces the GCC GS 150/1993, Part I, which regulates the shelf-life duration on approximately 118 food products. Under GS 150, production/expiry dates for selected products must be engraved, embossed, printed or stamped directly onto the original label or primary packaging at the time of production, using indelible ink. P/E dates printed on stickers is not an acceptable alternative. U.S. bar coding in lieu of P/E dates is not accepted either. Only one set of P/E dates on the label is permitted. P/E dates must be printed in the following fashion, depending upon the shelf-life of the product:

- Day/month/year for products with a shelf-life of six months or less
- Month/year for products with a shelf-life longer than six months

Under the month/year format, the last day of the month is considered the expiry date. The month may be printed in numbers or letters. For example, both 3/03 and March 03 are acceptable formats.

The word "Production" or the letter "P" must precede the production date. The expiry date must be preceded by one of the following statements: "Expiration (date)"; "Use by (date)"; "Use before (date)"; "Sell by (date)"; "Valid until (date) from the date of production"; or the letter "E."

With few exceptions, a product must have at least one-half of its shelf life remaining at the time of import. Meat and poultry products must be imported within four months of their date of production, regardless of the length of their shelf life.

The following products are exempt from expiration dating - salt, white sugar, dried legumes, dried vegetables, spices and other condiments, tea and rice. However, importers prefer to have such products labeled with production and expiry dates, as consumers tend not to be aware of this exemption.

Most major municipalities offer the following services to facilitate food product imports:

Pre-shipment approval of:

Food Labels - Copies of labels can be sent (fax copies are acceptable) directly to health officials for review, free-of-charge. If approved, a notice will be issued to accompany the product and facilitate inspection at the time of arrival.

Products - Officials will analyze a product to determine compliance with food ingredient standards. Costs involved vary, depending on type of product and ingredients. Laboratory testing is required on first consignments to the UAE.

Occasionally, local health officials will permit the importation of food products with minor labeling infractions. Exemptions are granted on a one-time basis and the sale of such products usually is limited to institutional end users.

3. Food Additive Regulations

UAE Standard # 23/2000 (GS 23/1998), regulates the use of food coloring additives, while UAE Standard # 356/1995, regulates the use of food preservatives. UAE officials are referring increasingly to the Codex Alimentarius, FDA and other internationally recognized bodies to determine permitted food additives, particularly for those additives not listed in GS 23/1998. Rarely is an illegal food additive or ingredient detected in U.S. origin products. Nevertheless, the U.S. exporter is encouraged to work closely with his importer to ensure the product meets UAE food additive requirements. UAE health authorities note with regard to new-to-market products "The addition of food coloring, preservatives, antioxidants and non-nutritive sweeteners is restricted." The Food Control Section of the respective Municipality should be contacted for further details.

4. Pesticide and Other Contaminants

In absence of a GCC or UAE standard, the UAE recognized the Codex Alimentarius Volume 2 B standard that governs pesticide and other contaminant residue levels. Chemical contamination is a growing concern of UAE authorities and efforts are underway to update local guidelines and improve testing procedures. Food products meeting U.S. residue standards will most likely meet future UAE standards. It is very rare that U.S. origin products are rejected due to pesticide or other contaminant residue.

5. Other Regulations and Requirements

All imported food products must be accompanied by:

- A health certificate issued by the appropriate government agency in the United States, attesting to the product's fitness for human consumption,
- A Halal slaughter certificate issued by a UAE-approved U.S. Islamic Center and notarized by the UAE Embassy/Consulate,
- Bill of Entry or Airway Bill,
- Packing list,
- Country of Origin Certificate.

The UAE Embassy or UAE Consulate in the United States must notarize Halal slaughter certificates, which must accompany the U.S. export health certificate at the border.

There are no special packaging or container size requirements for food products. The UAE does not allow the importation of irradiated food products. A radiation-free certificate is required for food products from Europe and Asia. U.S. products are exempt from this requirement.

There are no specific requirements for imported food samples. Samples for food shows and other promotional events are routinely exempt from local labeling and shelf life requirements. Product samples must be clearly marked as samples and accompanied by a statement claiming that they are not for sale. Meat and poultry samples must be accompanied by the Halal certificate and FSIS export health certificate.

Since 1998 the UAE has levied a commercial invoice legalization fee (equivalent to 1 percent of the consignment value) on all imported products. The fee can be paid at the UAE Embassy/Consulate in the United States or in the UAE upon arrival. Products will not be released from Customs until the fee is paid.

6. Other Specific Standards

Other than UAE standard (254/1995) for "baby food based on milk," there are no special standards for specialty food products, such diet or health foods.

Inspection officials routinely check for salmonella in poultry products. If salmonella is detected in more than 20 percent of tested samples, the shipment will be rejected.

Imports of alcoholic beverages are strictly controlled. Only a few local companies are licensed to import and sell alcoholic beverages. These products are exempt from local labeling requirements. The import of non-alcoholic beverages is permitted, but these products cannot contain more than 0.05 percent of alcohol by volume. These products are also exempt from local labeling requirements. The sale of pork products is strictly regulated and confined to well-marked areas of supermarkets. Restaurants must clearly identify

products on the menu that contain pork. Only selected retail outlets and hotels are permitted to sell pork.

The UAE Ministry of Environment and Water Resources is responsible for regulating the importation of live animals and plants.

7. Copyright and Trademark Laws

The UAE is tightening trademark and brand name protection rules. Trademark registration is not mandatory but protection may be limited unless officially registered. Trademark infringement problems are rare in the food sector.

Trademark registration is the responsibility of the Trademark Section, Ministry of Economy and Commerce. A foreign company may register a product/brand directly with the Ministry. To speed the process, however, it is recommended that a local law firm be retained.

The UAE no longer permits sole agency agreements for food brand names. This means that a local company can no longer register itself with the government as the exclusive importer/distributor of a specific brand. Agency agreements registered prior to June 1996, however, continue to be recognized.

8. Import Procedures

The UAE boasts some of the most modern air and seaport facilities in the world. Food shipments usually are off loaded, inspected by health officials and cleared through customs within hours of arrival at port. (Dubai ports are the primary entry points for food products.)

Every food shipment is subject to visual inspection upon arrival to ensure compliance with label and shelf life regulations. Shipments are subject to random laboratory analysis. Baby foods and edible oils are subject to 100 percent sampling. Other food products are sampled in accordance with the sampling policy manual, which sets out the frequency of sampling based on food type, brand and country of origin. A consignment undergoing laboratory analysis is stored under bonded warehouse selected by the importer, within the same emirate of arrival. Laboratory results are generally known within 5-10 days. New-to-market food products are subject to thorough laboratory analysis. Once cleared, they are subject to random sampling as are other food products on the market. A product will be rejected if found unfit for human consumption or non-compliant with label requirements. In either case, the product would be destroyed by the local municipality or re-exported to the country of origin within 30 days, at the importers discretion. Products not conforming to label requirements may be re-exported to a third country (non-GCC). Fines may be imposed, depending on the severity of the violation.

A product rejection may be appealed to the Health Department having jurisdiction over that port. The municipality will convey a special committee to review the petition and issue a final decision, normally within a week. The committee's decision is final.

In case of a minor label infraction, a shipment may be permitted entry on a one-time basis for limited sale, i.e., to institutional end-users only. A major infraction, such as improper labeling of products containing pork or tampering with P/E dates, is severely punished, particularly those infractions discovered after import. Such products are automatically banned from import, usually for several months, and the brand name and importer is often reported in the press.

Appendices

Appendix A. Permitted Food Colors

The following is a list of food colors, natural and artificial, permitted in the UAE:

1. Food Colors - Natural

Color/ Description -----	International Number -----	Other Names -----
Red to Yellow Colors		
Carmine	120	Cochineal, Carminic Acid
Annato extracts	160B	Bixin, Norbixin
Beta Carotene	160A	Carotene blend
Lycobine	160D	
Beta-Apo-8-carotenal	160E	
Beta-Apo-8-carotenoid acid	160F	
Lutein	161B	
Carrot oil	None	
Beet root red	162	Beta nine
Red to Purple Shade		
Anthocyanins	163(i)	
Grape skin extract	163(ii)	
Blackcurrant extract	163(iii)	Enocianina Beet powder
Paprika	None	None
Paprika oleoresin	160C	
Orange and Yellow Colors		
Saffron	None	Natural yellow 6
Turmeric powder	100(ii)	
Curcumin	100(i)	
Turmeric oleoresin	None	
Riboflavin	101(i)	
Riboflavin-5-Sodium Phosphate	101(ii)	
Green Colors		
Chlorophylls	140	Chlorophyllins
Chlorophyll copper complex	141(i)	
Sodium and potassium salts of chlorophyll copper complex	141(ii)	
Brown Colors		
Plain caramel	150A	
Caustic sulphite caramel	150B	
Ammonia caramel	150C	
Ammonia sulphite caramel	150D	

Black Color

Activated vegetable carbon	153	
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Inorganic Colors

Titanium dioxide	171	Food white 6
Iron oxides	172	

2. Food Colors - Artificial**Red Colors**

Azorubine	122	Carmosine, Food red 3
Allura Red 17	129	Food red 40

Yellow Colors

Sunset yellow FCF	110	Food yellow 3, Food orange S, Yellow 6 for food, drugs and cosmetics
Tartrazine	102	Food yellow 4, Yellow 5 for food, drugs and cosmetics

Brown Color

Chocolate brown HT	155	Food brown 3
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Green Color

Fast green FCF	143	Food green 3, Green 3 for food, drugs and cosmetics
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Blue Colors

Indigo tine	132	Carmine indigo, Blue 2 for
Brilliant blue FCF	133	Food blue 2, Blue 1 for food, drugs and cosmetics

Black Color

Brilliant black BN	151	Food black 1, Black PN
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3. Coloring allowed in Select Foods

International Number	Color	Food	Maximum Limit
127	Erythrosine	Cherry and Products	None
128	Red 2 G	Sausages	20 ppm
161G	Canthaxanthin	Cooked Sausages	30 ppm
		Frozen Foods	100 ppm
173	Aluminum	External Cover for Cake and Pasta	According to Good Production Practice
174	Silver	External Cover for Sweets	According to Good Production Practice
175	Gold	External Cover for Sweets	According to Good Production Practice
180	Lithotrubine	Cheese Covering	According to Good Production Practice
None	Orange B	Sausage and Frankfurters Covering	150 ppm
None	Citrus Red 2	Orange Peel	2 ppm

Parts per million = ppm

4. Prohibited Coloring

International Number	Color	Remarks
104	Quinolin yellow	Prohibited in all food products
124	Ponceau 4R	Prohibited in all food products

In 2005, Sudan Reds 1-2-3-4 were added to the list of banned colors.

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